

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

KENNETH MEEKS,

Petitioner,

v.

Civil Action No. **3:18CV815**

MARK BOLSTER,

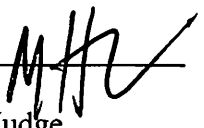
Respondent.

MEMORANDUM OPINION

By Memorandum Opinion and Order entered on January 24, 2019, the Court dismissed the action without prejudice because Petitioner failed to respond the December 12, 2018 Memorandum Order which directed that he pay the \$5.00 filing fee or submit an *in forma pauperis* affidavit.

On February 4, 2019, the Court received two \$5.00 checks for the filing fee, one from Petitioner and one from a friend on behalf of Petitioner. (ECF No. 6.) The Clerk returned the checks because the action already had been dismissed. (*Id.*) On February 15, 2019, Petitioner filed a Motion for Reconsideration along with another \$5.00 check. (ECF No. 7.) Petitioner asserts that he diligently attempted to pay the filing fee, but due to circumstances beyond his control, that fee was late in arriving at the Court. Given the above circumstances, the Motion for Reconsideration (ECF No. 7) will be GRANTED. The January 24, 2019 Memorandum Opinion and Order (ECF Nos. 4, 5) will be VACATED. The Court will CONTINUE TO PROCESS the action.

An appropriate Order will issue.

_____/s/ 
M. Hannah Lauck
United States District Judge

Date: **MAR 20 2019**
Richmond, Virginia